THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No.11025 of 2007

Dated: 12.07.2007

Between:

Avula Gopala Rao.

.... PETITIONER

AND

The Commissioner, Prohibition and Excise Department,
M.G.Market Road, Hyderabad and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No.11025 of 2007

ORDER:

The petitioner is working as Excise in-charge Head Constable in the office of 3rd respondent. While so, 2nd respondent issued proceedings dated 30.05.2006 informing the petitioner and others the date of retirement from service on attaining the age of superannuation with a direction to file pension papers. The petitioner states that as his actual date of birth i.e., 20.05.1953 was wrongly shown as 20.05.1949 in the school records, he filed a civil suit before the II Junior Civil Judge, City Civil Courts, Hyderabad, but as the plaint was returned by the said Court, he moved C.R.P.No.2224 of 2007 challenging the docket order dated 16.04.2007. In the said revision, notice to respondents was ordered. Thereafter, he made representations dated 16.05.2007 and 25.05.2007 to 1st respondent seeking to extend his service as in-charge Head Constable till the C.R.P.No.2224 of 2007 is disposed of, but no orders thereon have been passed. Hence, he filed the present writ petition.

2. Heard the learned counsel for the petitioner and the learned Assistant Government Pleader for Excise. Both the counsel agreed for disposal of the writ petition with a direction to the 1st respondent to consider and dispose of the representations of the petitioner, dated 16.05.2007 and 25.05.2007.

3. Since the representations dated 16.05.2007 and 25.05.2007, said to have been made by the petitioner, are pending consideration before the 1st respondent, and in view of the agreed stand taken by both the counsel, without going into the merits of the matter, I deem it appropriate to dispose of the writ petition with the following directions.

The 1st respondent, namely the Commissioner, Prohibition & Excise Department. Hyderabad, is directed to consider the representations of the petitioner, dated 16.05.2007 and 25.05.2007, and pass appropriate orders thereon, within a period of six weeks from the date of receipt of a copy of this order.

Accordingly, the writ petition is disposed of. No costs.

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N.V. RAMANA, J.

Date: 12.07.2007

sj